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December 2, 1999

BY OVERNIGHT MAIL

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12 Street, S.W.
Washington, D.C. 20554

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Re: CC Docket No. 99-301

Dear Ms. Salas:

Enclosed for filing please find an original plus nine (9) copies of the Comments of Frontier Corporation in the above-docketed proceeding.

To acknowledge receipt, please affix an appropriate notation to the copy of this letter provided herewith for that purpose and return same to the undersigned in the enclosed self-addressed envelope.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Michael J. Shortley, III".

Michael J. Shortley, III

cc: International Transcription Service (paper)

Ms. Terry Conway, Industry Analysis Division (paper plus diskette)

Mr. Andrew Wise, Cable Services Bureau (paper plus diskette)

Mr. Walter Strack, Wireless Telecommunications Bureau (paper plus diskette)

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of

Local Competition and Broadband
Reporting

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CC Docket No. 99-301

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COMMENTS OF
FRONTIER CORPORATION

Introduction

Frontier Corporation ("Frontier"),¹ on behalf of its incumbent local exchange and competitive local exchange carrier subsidiaries, submits these comments on the Commission's Notice initiating this proceeding.²

In the Notice, the Commission requests comment regarding whether it should institute mandatory local competition and broadband reporting requirements that would apply principally, although not exclusively, to ILECs and CLECs. The Commission should decline to adopt its proposed mandatory reporting requirements. There is little indication that the Commission's current voluntary local competition reporting program is not working. Moreover, adopting additional reporting burdens runs counter to recent Commission reducing the reporting requirements on carriers, particularly smaller carriers. In addition, carriers -- particularly larger ILECs -- will have every incentive to cooperate, as they seek continued relaxation of regulatory burdens,

¹ Frontier Corporation is a wholly-owned subsidiary of Global Crossing, Ltd.

² *Local Competition and Broadband Reporting*, CC Dkt. 99-301; Notice of Proposed Rulemaking, FCC 99-283 (Oct. 22, 1999) ("Notice").

In the alternative, if the Commission decides to implement a mandatory reporting regime, it should exempt smaller carriers, or, at least, minimize the reporting burdens and strongly encourage federal-state cooperation to avoid unnecessarily duplicative and costly reporting.

Argument

I. THE COMMISSION SHOULD DECLINE TO IMPLEMENT A MANDATORY REPORTING REGIME.

The Commission proposes to adopt a mandatory reporting regime because, in its view, "only a comprehensively imposed, mandatory data collection effort will provide us with a set of data of uniform quality and reliability."³

Missing from the Commission's analysis is any cost-benefit analysis. Although the Commission notes that it has voluntarily sought the information it now seeks to collect on a mandatory basis, it does not indicate that its voluntary data collection effort is producing inaccurate results. Moreover, the Commission does not weigh the costs of its proposed mandatory program with the incremental benefits to be obtained by converting from a voluntary to a mandatory program. The Commission's failure, in the Notice, to specify what data it is missing and to what degree a mandatory regime will fill the interstices⁴ suggests that the current voluntary program is adequate.

³ Notice, ¶ 13.

⁴ The Commission merely notes that "the voluntary data collection program that has been in place for the past year has yielded some helpful information...." *Id.* The Commission, however, fails to articulate what data is missing and why it needs the additional data it seeks.

Moreover, carriers -- particularly large ILECs -- will have every incentive to cooperate. Relief from existing regulatory constraints will depend on data regarding local competition and broadband deployment. The Bell companies and GTE, for example, have filed numerous forbearance petitions. These carriers have every incentive to provide the Commission with as much data as possible in support of such petitions. These companies also have uniquely available to them aggregate competitive information -- such as numbers of resold lines, unbundled network elements and the like -- that they are providing to competitors. Thus, it appears that much of the information that the Commission seeks would be made readily available to it on a voluntary basis.

Nor is it apparent from the Notice that any additional data that might become available through mandatory reporting would be of decisional significance. While Frontier agrees that more comprehensive data would, in the abstract, be desirable, the Commission cannot ignore the costs that a mandatory regime would impose. Frontier, for example, has in the past cooperated with the Commission's voluntary program, yet to be responsive, it had to file each reporting cycle close to 100 separate reports for both its ILECs and CLECs. Most of its ILECs, however, are small, rural carriers and its CLECs, although they operate in multiple states, are essentially start-ups. The costs of a mandatory regime upon Frontier would be substantial.

In other contexts, the Commission has recognized the burdens that mandatory reporting has imposed and has taken steps to alleviate those burdens. It has, for example, significantly reduced the number and frequency of

ARMIS reports that it requires small and mid-sized ILECs to file. Unless and until the Commission conducts an appropriate cost-benefit analysis, it should not adopt its proposed mandatory data-collection program.

II. IN THE ALTERNATIVE, THE COMMISSION SHOULD MINIMIZE ANY REPORTING BURDENS THAT IT IMPOSES.

If the Commission were to implement a mandatory reporting regime, it should seek to minimize the burdens of such a program. Frontier offers a few suggestions. *First*, the Commission should exempt any carrier that serves less than 50,000 access lines in a study area (for ILECs) or state (for CLECs). Such action would be consistent with prior Commission decisions to reduce the reporting requirements on smaller carriers.

Second, the Commission should require the filing of reports no more frequently than on an annual basis. It is far from clear that more frequent reporting would provide the Commission with data that would be no more useful than annual data. Annual reporting is also consistent with other Commission reporting requirements, e.g., circuit status reports.

Finally, if the Commission adopts a mandatory data collection program, it should strongly encourage the states to utilize the results of this program rather than adopting their own reporting programs. As the Commission acknowledges,⁵ a number of states have already implemented their own reporting programs. Having multiple and overlapping reporting regimes based solely upon

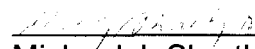
⁵ *Id.*, ¶ 15.

jurisdictional differences serves no useful purpose and simply increases the burdens and costs imposed upon reporting carriers.

Conclusion

For the foregoing reasons, the Commission should act upon the proposals contained in the Notice in the manner suggested herein.

Respectfully submitted,



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